

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number	:	10/563,287	Confirmation No. 4361
Applicant	:	Sung-Chul SOHN	
Filed	:	January 3, 2006	
Tech Cntr/AU	:	2617	
Examiner	:	Michael Thier	
Entitled	:	SYSTEM AND METHOD FOR ZONE-BASED PERSONALIZED INFORMATION PROVIDING	
Attorney Reference	:	4949-0010	
Customer Number	:	22429	

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

By Official Action mailed March 9, 2009, restriction to one of the following inventions and/or species of the claimed invention is required:

- Species 1: FIGs. 1-4
- Species 2: FIGs. 5-8
- Species 3: FIGs. 9-12
- Species 4: FIGs. 13-16
- Species 5: FIGs. 17-20
- Species 6: FIGs. 21-44

In response, Applicants hereby elect **Species 1** (FIGs. 1-4) upon which claims 1, 2-7, 43, 44, 45, 46, 47 and 58 are readable.

At least claims 1 and 44 are generic claims, and claims 43, 45, 46, and 58 are generic or linking claims that are readable on more than one species.

The election is made *with traverse* for the following reason(s).

1. The presence of generic claims 1 and 44 as well as generic/linking claims 43, 45, 46, 58 is evidence that there is unity of invention.

A group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature. The expression special technical features is defined as meaning those technical features that define the contribution which each claimed invention, considered as a whole, makes over the prior art. *MPEP*, section 1893.03(d).

In particular, each one or more of claims 1, 44 43, 45, 46, 58 link all species to form a single general inventive concept as expressed in at least claims 1 and 44.

2. The Examiner has not followed proper USPTO practice and procedure.

When making a lack of unity of invention requirement, the examiner must (1) list the different groups of claims and (2) explain why each group lacks unity with each other group (i.e., why there is no single general inventive concept) specifically describing the unique special technical feature in each group. *Id.* (emphasis added).

In this case, the Examiner has shown (paragraph 2) only why Species 2 (FIGs. 5-8) lacks unity with Species 1 and/or 3-5. For the Restriction Requirement to be proper, the Examiner should also show that

- Species 1 lacks unity with each of Species 3-6; and
- Species 2 lacks unity with Species 6; and
- Species 3 lacks unity with each of Species 1 and 4-6; and
- Species 4 lacks unity with each of Species 1, 3 and 5-6; and
- Species 5 lacks unity with each of Species 1, 3, 4 and 6; and
- Species 6 lacks unity with each of Species 1-5.

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In view of the above, withdrawal of the Restriction Requirement and consideration of all claims pending in the instant application are believed appropriate and therefore courteously solicited.

Early examination on the merits is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN HAM & BERNER, LLP

/Yoon S Ham/

Yoon S. Ham

Registration No. 45,307

1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111
(703) 518-5499 Facsimile
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YSH/KL/jr